

RESOLUTION

AUTHORIZING/APPROVING THE FEE SCHEDULE FOR PROFESSIONAL LEGAL SERVICES FOR WILLIAM B. SAVO, ESQ. AND THE LAW FIRM OF SAVO, SCHALK, GILLESPIE, O'GRODNICK & FISHER, P.A., IN AN AMOUNT NOT TO EXCEED \$460,000 FOR THE PERIOD OF JANUARY 1, 2018 TO DECEMBER 31, 2018

WHEREAS, the resolution appointing William B. Savo, Esq. as the Director of the Department of Law a/k/a the Township Attorney, pursuant to the appointment by the Mayor and pursuant to N.J.S.A. 40:69a-43 (b) and chapter 4 (administrative organization), Article X (Department of Law) section 4-49 of the Township Municipal Code and authorizing an Award of Contract to William B. Savo and the law firm of Savo, Schalk, Gillespie, O'Grodnick & Fisher, P.A., to perform all the duties and responsibilities of the Director of the Department of Law a/k/a Township Attorney was adopted on January 1, 2016; and

WHEREAS, said appointment and award of contract were made as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5, and

WHEREAS, William B. Savo, Esq. and the law firm of Savo, Schalk, Gillespie, O'Grodnick & Fisher, P.A., submitted a New Jersey Business Registration Certificate and were in compliance and continue to be in compliance with the New Jersey Local Unit "Pay to Play" Laws (N.J.S.A.19:44A-20.4 et. seq.); and

WHEREAS, said award of contract dated January 1, 2016, was in accordance with N.J.S.A. 40A: 11-1 at seq.) for "Professional Services," without competitive bids; and

WHEREAS, the Township of Bridgewater agrees to compensate William B. Savo and certain law firm associates for such legal services in accordance with the salary and wage ordinance as follows:

- \$180 per hour for William B. Savo
- \$150 per hour for law firm associates
- \$ 60.00 for paralegals involved in litigation for the Township

WHEREAS, the total legal fees for the calendar year 2018 shall not exceed \$460,000. The \$460,000 legal fee for 2018 shall include 20,000 for anticipated Open Space legal fees which will be paid from the Open Space Trust. A portion of the aforesaid budget cap shall be allocated to line items in the Code Enforcement/Zoning Department which has a line item for litigation (\$10,000.00). In succeeding years the hourly rates and fees shall remain the same until a new annual salary and wage ordinance is enacted. The budget cap shall not apply to extraordinary and unanticipated litigation explicitly approved by the Township Council for legal representation. The above cap on legal fees shall not include legal fees and services to be performed by the law firm to maintain affordable housing units pursuant to COAH regulations or other COAH/Affordable Housing regulations. The fees to maintain affordable housing units shall be paid from the Housing Trust Fund.

WHEREAS, a Certification Affirming the Availability of Funds in accordance with N.J.A.C. 5:34-5.1 et seq. has been provided by the Chief Financial Officer and is attached

hereto and made a part hereof, and

WHEREAS, the Business Disclosure Entity Certification, Determination of Value Certification, Political Contribution Disclosure Form and Stockholder Disclosure Certification were filed with the Township; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Bridgewater, County of Somerset and State of New Jersey as follows:

- 1) Fees for professional services as Township Attorney, as set forth in the attached Professional Services Agreement for 2018 are hereby approved.
- 2) The Mayor and Township Clerk are hereby authorized and directed to execute the Professional Fee Schedule Agreement attached hereto.

Introduced	Seconded	Council	Aye	Nay	Abstain	Absent
✓		Kurdyla	✓			
	✓	Norgalis	✓			
		Pedroso	✓			
		Moench	✓			
		Rose	✓			

Adopted: January 8, 2018